

<b>ARTICLE 12: Add a new Section 8.7 of the Town's Zoning Bylaw to Create a Temporary Moratorium on Recreational Marijuana Establishments and amend Section 10.2 General Definitions</b>
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<i>Planning Board</i>
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To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 8.7 **TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS**, that would provide as follows, amend the Table of Contents to add Section 8.7, "Temporary Moratorium on Recreational Marijuana Establishments, and further to amend Section 10.2 Definitions to add related terms:"

### **Section 8.7.1 Purpose**

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses no later than April 1, 2018. Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L. c. 94G, §1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town hereby adopts a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

### **Section 8.7.2 Temporary Moratorium**

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. Because of the statutory requirement to have the state Attorney General's Office approve all zoning changes approved at a Town Meeting, and the time that it takes to prepare such submission and for the Attorney General's Office to conduct their review and respond, **the moratorium shall be in effect through December 31, 2018 or 120 days from the date of the Town Meeting action, whichever occurs later.** During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana on the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

### **Add the following term in Section 10.2 General Definitions**

**Marijuana, Recreational Establishment** shall mean a "marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed non-medical marijuana-related business."

Or take any action relative thereto.